Software Rights Archive, LLC v. Google Inc. et al

EXHIBIT F

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The Roger Baldwin Foundation of ACLU

The Roger Baldwin Foundation of ACLU, Inc. ("RBF") was established in 1968 as the legal and educational arm of the American Civil Liberties Union of Illinois, a state affiliate of the national organization founded in 1920. RBF protects and extends civil liberties and civil rights. RBF and ACLU of Illinois primarily are funded through contributions from private individuals and foundations, operating on a total annual budget of three million dollars.

RBF advances its legal program through its 13 attorneys who work in specialized projects.

First Amendment

The First Amendment Fund ("FAF") has protected the rights of freedom of expression, association, and religious belief for more than a half-century. Starting with the decision in *Terminello v. City of Chicago*, 337 U.S. 1 (1949) and continuing to the present through a series of cases, including *Gregory v. City of Chicago*, 394 U.S. 111 (1969); *Organization for a Better Austin v. Keefe*, 402 U.S. 415 (1971); *Police Department v. Mosley,* 408 U.S. 92 (1972); *Elrod v. Burns*, 427 U.S. 347 (1976); *National Socialist Party of America v. Village of Skokie*, 432 U.S. 43 (1977); *City of Watseka v. Illinois Public Action Council*, 479 U.S. 1048 (1987); and *O'Hare Truck Service v. City of Northlake*, 518 U.S. 712 (1996), FAF's work has been critical in shaping the First Amendment jurisprudence of our country. In cases as varied as the ideas that people wish to express, the Fund has preserved the most precious of our constitutional freedoms. Additional FAF cases include: *Crue v. Aiken*, 370 F. 3d. 668 (7th Cir. 2004) striking down a gag order on students and faculty at the University of Illinois; Buckley *v. Illinois Judicial Inquiry Board*, 997 F.2d 224 (7th Cir. 1993) enjoining an overbroad restraint on judicial campaign speech; *Nelson v. Streeter*, (16 F.3d. 145) (7th Cir. 1994), affirming that city officials may not seize artistic expression based on hostile audience; *ACLU v. GSA*, 235 F. Supp. 2d 816 (N.D. Ill. 2002), establishing that the government may not decline to issue an occasional-use permit for a federal plaza solely on the ground that it has already granted a permit to another group or individual to use the plaza at the same time; and *Albrecht v. MPEA*, 338 F.Supp. 2nd 914 (N.D. Ill. 2004), affirming that citizens have the right to reasonable access, for First Amendment purposes, to persons attending events at a convention center.

National Security

The National Security Initiative ("NSI") protects civil liberties and civil rights from government over-reaching pursued under the guise of national security. Establishing the principle that our country must remain free as well as safe, we have brought class action lawsuits contesting unlawful interference with political association, violations of rights of privacy and discriminatory practices arising out of government's excesses in times of perceived crisis. During the McCarthy period of 1950's we successfully challenged loyalty oaths as a condition of receiving public housing benefits. In the 1970's, the organization filed and won a landmark agreement with the F.B.I. and the Department of Defense in a suit challenging COINTELPRO, the government's infamous program of spying on the lawful activities of anti-war dissidents and civil rights activists. *Alliance to End Repression*, 91 F.R.D. 182 (N.D.Ill. 1981). In the aftermath of September 11, 2001, NSI continued its historical mission. For example, NSI brought litigation on behalf of a Muslim woman strip-searched at O'Hare Airport by public and private security officials because she was wearing her hijab. *Kaukab v. Harris*, 2003 WL 21823752 (N.D. Ill. 2003). We presently represent a (putative) national class of Muslim, South Asian, and Middle Eastern citizens subjected to repeated, lengthy, and abusive border detentions because of policies related to the government's watch lists, *Rahman v. Chertoff*, No. 05-cv-3761 (N.D. Ill.); a (putative) class action on behalf of AT&T customers whose privacy was violated by the telephone company's unlawful disclosure of telephone call records and content to the National Security Agency, *Terkel* *v. AT&T*, No. 06-cv-2837 (N.D. Ill.); and, a damages suit on behalf of a person who was unlawfully detained for months and physically abused pursuant to the post-9/11 dragnet of some 1,000 supposedly suspicious non-citizens, *Khorrami v. Rolince*, No. 03-cv-6579 (N.D. Ill.).

Racial Justice

The Race and Justice Project ("RJP") has litigated numerous cases at all levels of the federal courts on behalf of racial minorities seeking to insure equal treatment and services by government in all phases of society. In 1999, for example, project attorneys represented inner-city youths in the United States Supreme Court in overturning an anti-loitering ordinance which resulted in the sweep arrests of over 40,000 young people in Chicago. *City of Chicago v. Morales*, 527 U.S. 41. Recently, RJP successfully represented African American voters in challenging the use of punch card voting in Illinois, *Black v. McGuffage*, 209 F. Supp. 2d 889 (N.D. Ill. 2002); and African American and Hispanic motorists in challenging racial profiling on the roads of suburban Chicago, *Ledford v. City of Highland Park*, 2000 WL 1053967 (N.D. Ill. 2000).

Reproductive Rights

RBF's Reproductive Rights Projects ("RRP") is recognized nationally as a pre-eminent litigation resource in the area of reproductive freedoms. Since its inception in 1978, the project's primary cases have been federal class action suits brought on behalf of physicians and patients challenging laws that unduly limit reproductive choices and informational privacy. RRP's Supreme Court cases, in particular, have national impact and include: *Williams v. Zbaraz*, 448 U.S. 297 (1980); *Diamond v. Charles*, 476 U.S. 54 (1986); *Hartigan v. Zbaraz*, 484 U.S. 171 (1987); and *Turnock v. Ragsdale*, 503 U.S. 916 (1992). Project attorneys have frequently argued cases before the federal Court of Appeals, including, for example: *Wynn v. Carey*, 599 F.2d 193 (7^{th} Cir. 1979); *Charles v. Daley*, 749 F.2d 452 (7^{th} Cir. 1984); *Keith v. Daley*, 764 F.2d 1265 (7^{th} Cir. 1985); *Herbst v. Ryan*, 90 F.3d 1300 (7^{th} Cir. 1996); *Hope Clinic v. Ryan*, 195 F.3d 857 (7^{th} Cir. 1999); *aff'd in part and vacated in part*, 249 F.3d 603 (7^{th} Cir. 2001); RRP participated in numerous cases in the federal district courts in Illinois, Indiana, South Dakota and New York. Most recently, RRP attorneys served as co-counsel in *National Abortion Federation v. Gonzales*, a challenge to the federal so-called Partial Birth Abortion Act. *See National Abortion Federation v. Ashcroft*, 330 F.Supp. 2d 436 (S.D.N.Y 2004); *aff'd sub nom*, *National Abortion Federation v. Gonzales*, 437 F.3d 278 (2^{nd} Cir. 2006).

Children and Institutionalized Persons

For more than two decades the RBF's Children's and Institutionalized Persons Project ("CIPP") has spearheaded groundbreaking class action litigation on behalf of individuals in government-funded custody, including foster children, prisoners, youngsters in juvenile detention facilities, patients in psychiatric hospitals and residents of nursing homes. CIPP currently represents more than 16,000 foster children in a case challenging the services and placements provided by Illinois' child welfare system, *B.H. v. Samuels*, No. 88-C-5599 (N.D. Ill.)(*see* 49 F. 3d 294 (7^{th} Cir. 1995 and 715 F. Supp. 1387 (N.D. Ill. 1989); thousands of developmentally disabled people needlessly institutionalized in intermediate care facilities (*Ligas v. Maram*, No. 05 C 4331 (U.S. Dist. LEXIS 10856) (N.D. Ill. March 7, 2006); and more than four hundred children housed in substandard conditions at the Cook County Juvenile Temporary Detention Center, *Jimmy Doe v. Cook County*, No. 99 C 3945 (N.D. Ill.) Many of CIPP's previous cases resulted in substantial improvements in care and services at government institutions, such as the project's successful challenge to Cook County's practice of keeping children detained after judges had ordered them released, *A.T. v. County of Cook*, No. 85 C 0325 (N.D. Ill.) (613 F. Supp. 775); and the project's challenge to the care and services provided to thousands of patients in state operated mental health centers, *K.L. v. Edgar*, No. 92 C 5722 (948 F. Supp. 44) (N.D. Ill. 1996).

LGBT and AIDS

RBF's Lesbian Gay Bisexual Transgender & AIDS Project was created in 1986 to fight discrimination against LGBT persons and persons with HIV/AIDS and to educate the public about the importance of equal treatment for LGBT persons and persons with HIV/AIDS. The Project has pursued impact litigation in federal and state courts. The Project's HIV/AIDS litigation has included cases seeking equal access to medical care, public accommodations and government benefits and to establish and enforce privacy protections. For example, in *Doe v. Belleville*, 672 F. Supp. 342 (S.D. Ill. 1987), the Project established the illegality of excluding students because they have AIDS, and resulted in our client's return to the classroom. In *Hamlyn v. Rock Island County Metro. Mass Transit Dist.*, 986 F. Supp. 1126 (C.D. Ill. 1997), the Project successfully challenged a transit district's policy excluding persons with AIDS from a reduced-fare program open to other who were physically challenged. In 2004, the Project became a joint one with the ACLU's National LGBT & AIDS Project so that Project staff work on cases in other Midwestern states. Recent cases include: *Helgeland v. DETF*, a case filed on behalf of six lesbian state employees and their life partners challenging the State of Wisconsin's denial of the same health insurance benefits provided to married couples for lesbian and gay couples, and *Sundstrom v. Frank*, a federal class action challenge to a recent Wisconsin law prohibiting the state from paying for hormone therapy and sex reassignment surgery to transgender inmates.